

UNITED STATES DISTRICT COURT

for the

Northern District of California

FILED

MAR 25 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

U.S.A. vs. ARNOLD, KELVIN

Docket No. CR 07-00488 CW-8

Petition for Arrest Warrant for Defendant Under Pretrial Supervision

Name of Defendant: Arnold, Kelvin

Address of Defendant: 749 Vinci Way
Livermore, California 94550

Name of Judicial Officer: Wayne D. Brazil, U.S. Magistrate Judge

Date of Release: October 29, 2007

Charged Offense: Count One: Title 18, United States Code, Section 1028 (f) -
Conspiracy to Unlawfully Transfer or Use a Means of Identification of
Another

Release Conditions: \$ 100,000 bond (unsecured)

Special Conditions: (1) Shall report to Pretrial Services as directed; (2) Shall surrender all passports and visas to the Court and shall not apply for any passports or other travel documents; (3) Shall not possess any firearms, destructive devices or dangerous weapon; (4) Shall not travel outside the Northern District of California; (5) Shall participate in drug/alcohol counseling and submit to drug/alcohol testing as directed by Pretrial Services; (6) Shall not use alcohol to excess and shall not use or possess any narcotic or other controlled substances without a legal prescription; (7) Shall seek and maintain gainful employment; (8) Shall not have contact with any co-defendant out of the presence of counsel; (9) Shall not change residence without prior approval of Pretrial Services; and (10) Shall comply with a curfew set by Pretrial Services.

if cc: WDB's State, Copy to parties via ECF, Pretrial,
2 certified copies to Marshal, Financial, Aleshah

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Petition for Arrest Warrant for Defendant Under Pretrial Services Supervision

Defendant Name: Arnold, Kelvin

Docket No.: CR 07-00488 CW-8

Petitioning the Court

For the issuance of a no-bail warrant for the defendant's arrest.

I, Paul Mamaril, a U.S. Pretrial Services Officer, employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records or documents generated and maintained by other government agents or agencies in the course of performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course of performing official agency functions).

1. On March 11, 2008, the defendant appeared for a Bail Violation Hearing before Your Honor. On that date, this officer informed the Court about the numerous violations that the defendant incurred while on Pretrial Supervision which includes: his failure to report for drug testing on February 16th, February 18th, and February 29, 2008; his positive drug test for methamphetamine and marijuana on March 3, 2008; his denial of his substance abuse; and his curfew violation on March 10, 2008, as well as not residing at his residence in Livermore, California, on the weekend of March 7, 2008.
2. On March 11, 2008, Your Honor ordered the defendant to participate in the New Bridge Dual Diagnosis Program in Berkeley, California.
3. On March 19, 2008, the defendant appeared for a Bail Violation Hearing before Your Honor. Pretrial Services informed the Court about the defendant's behavior when he was initially admitted to the New Bridge Foundation Program. He was in possession of methamphetamine which he voluntarily presented to staff members. The Court was informed that the defendant was placed on disciplinary action at that time. During his Bail Violation Hearing, Your Honor admonished Mr. Arnold and directed him to continue to comply with the rules and regulations of the New Bridge Dual Diagnosis Program.
4. On March 24, 2008, this officer received a telephone call from Program Coordinator Peter Budlong at the New Bridge Foundation Program. Mr. Budlong indicated that an incident occurred with Mr. Arnold during the weekend of March 22, 2008, when the defendant became confrontational with a female counselor. Mr. Budlong stated that a male counselor had to intervene during this confrontation. Mr. Budlong related that an incident report is being filed at this time regarding further details of the situation and that a decision whether to evict Mr. Arnold from the program will be determined on Tuesday, March 25th. Mr. Budlong also informed this officer that they may "likely evict the defendant from the program due to his erratic behavior and their suspicion that the defendant may be using marijuana in their facility."

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5. On March 24, 2008, at 4:15pm, Mr. Budlong informed Pretrial Services that the defendant had "walked away from the New Bridge Foundation Program."

Based on the foregoing, there is probable cause to believe that Kelvin Arnold violated the conditions of his pretrial release. Therefore, I ask the Court to issue a no-bail warrant for the defendant's arrest.

Respectfully submitted,



Paul Mamari
U.S. Pretrial Services Officer
Place **Oakland, California**
Date Signed: March 25, 2008

Approved by:



Allen Lew, Supervising *For*
U.S. Pretrial Services Officer

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Having considered the information set forth above, the Court finds there is probable cause to believe the defendant violated the terms and conditions of his pretrial release.

THE COURT ORDERS:

☒ The issuance of a no-bail warrant for the defendant's arrest so that he may be brought before the Court to show cause why bail should not be revoked.

☐ Other: _____

3/25/08
Date

Wayne D. Brazil
Honorable Wayne D. Brazil
U.S. Magistrate Judge